

CITY OF FORT LAUDERDALE  
UNSAFE STRUCTURES BOARD  
THURSDAY, OCTOBER 17, 2013 AT 3:00 P.M.  
1<sup>ST</sup> FLOOR COMMISSION CHAMBERS  
CITY HALL

Cumulative  
Attendance  
10/13 through  
9/14

**Board Members**

	Attendance	Present	Absent
Michael Weymouth, Chair	P	1	0
Joe Holland, Vice Chair	A	0	1
John Barranco	P	1	0
Joe Crognale	P	1	0
Pat Hale	P	1	0
Thornie Jarrett [3:01]	P	1	0
Don Larson	P	1	0
John Phillips	A	0	1
B. George Walker	P	1	0

**City Staff**

Lori Grossfeld, Board Secretary  
Chris Augustin, Chief Building Official  
Jeri Pryor, Code Enforcement Supervisor/Clerk  
Bridget Patterson, Administrative Aide  
George Oliva, Building Inspector  
Ginger Wald, Assistant City Attorney  
Jamie Opperlee, ProtoType Inc. Recording Clerk

**Communication to the City Commission**

None

**Witnesses and Respondents**

CE13040416: Michele Keaton, owner

<u>Index</u>		
<u>Case Number</u>	<u>Respondent</u>	
<b>1. CE12041644</b>	<b>GIBNEY, MICHAEL J</b>	<b><u>3</u></b>
	307 NW 11 ST	
Disposition:	The Board found the violations exist as cited and ordered the owner to repair or remove the unsafe portions of the structure, to secure the structure and to remove the debris within 35 days or the City will. Board approved 7-0.	
<b>2. CE13040416</b>	<b>KEATON, MICHELE &amp; WALDEN, JOHN</b>	<b><u>30</u></b>
	811 SW 28 AV	
Disposition:	The Board found the violations exist as cited and granted the owner 35 days to comply. Board approved 7-0.	
<b>3. CE13081082</b>	<b>PARISIAN MOTEL INC</b>	<b><u>45</u></b>
	519 NW 23 AV	
Disposition:	The Board found the violations exist as cited and ordered the owner to repair or remove the unsafe portions of the structure and to secure the structure within 35 days or the City will. Board approved 7-0.	
	Communication to the City Commission	<b><u>51</u></b>
	Other Items and Announcements	<b><u>51</u></b>
	For the Good of the City	<b><u>51</u></b>

The regular meeting of the Unsafe Structures Board convened at 3:00 p.m. in the 1<sup>st</sup> Floor Commission Chambers, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

**All individuals giving testimony before the Board were sworn in.**

1     Approval of meeting minutes

2             Motion made by Mr. Larson, seconded by Mr. Jarrett,  
3 to approve the minutes of the Board's September 2013 meeting.  
4 In a voice vote, motion passed 7-0.

5             Mr. Jarrett arrived at 3:01.

6  
7     Cases

8             1.    **Case: CE12041644**

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9                   **GIBNEY, MICHAEL J**

10                  **307 NW 11 ST**

11             MS. PATTERSON: First case is CE12041644, address  
12 307 Northwest 11 Street, owner is Michael J. Gibney,  
13 Inspector George Oliva. Notice was posted at the property  
14 10/1/13, advertised in Daily Business Review 10/4/13 and  
15 10/11/13. Certified mail to the owner signed by M.A. Gibney  
16 by Nick Berry, certified mail to the tax collector, Broward  
17 County Tax Collector on 9/30/13 and tenant in possession was  
18 returned, the certified mail. Violations as noted in the  
19 agenda.

20             CHAIR WEYMOUTH: Thank you.

21             INSPECTOR OLIVA: George Oliva, Building Inspector  
22 for the City. I'm presenting case number CE12041644 on  
23 today's agenda on page one. This case was opened on April  
24 23, 2012 by the SRT and the following pictures were taken by  
25 them. I would like to submit them into the records if I ever

1 get to see them.

2 [Inspector Oliva displayed photos of the property]

3 CHAIR WEYMOUTH: We've got three dark screens and  
4 one live screen. I don't know, was there --

5 MS. HALE: Yes. Here.

6 INSPECTOR OLIVA: We've got one live over here.  
7 Okay.

8 MR. CROGNALE: Okay, we're live over here.

9 INSPECTOR OLIVA: These are the pictures that were  
10 taken --

11 CHAIR WEYMOUTH: Hang on just a second Inspector  
12 [inaudible] TV warm up.

13 INSPECTOR OLIVA: Okay. Let me know when you guys  
14 are on board.

15 CHAIR WEYMOUTH: Thank you sir.

16 INSPECTOR OLIVA: Okay, as you can see the pictures  
17 are showing the fire damage inside of the dwelling, the  
18 condition inside after the fires. There's trash everywhere.  
19 That's the damage on the ceiling, water penetration. That's  
20 the outside of the property, we did an emergency board-up so  
21 the openings that they were broken by the fire.

22 And that's outside view of the property. And  
23 that's one of the windows that was broken. That's another  
24 view showing the damage in the outside. That's an inside of  
25 the property. That's another view from the inside, you can

1 see there is severe damage from the fire due to the water  
2 damage by the Fire Department. And that is another view of  
3 the outside where you can see the property's wide open; it  
4 haven't been board up by the owner.

5 That's the electrical was removed, the meter was  
6 removed by the Fire Department request. And that's another  
7 view of the broken windows.

8 So the City's asking the Board to find for the City  
9 that this property is open and in disrepair and he has become  
10 unsafe and to order the owners of the building to repair the  
11 structure and to remove all the unsafe violations in the next  
12 thirty days.

13 CHAIR WEYMOUTH: Excuse me, just a second. Good  
14 afternoon ma'am, are you here on the current case, 307  
15 Northwest 11 Street? Okay. Any questions for the Inspector?

16 MR. JARRETT: I have one.

17 CHAIR WEYMOUTH: Yes sir.

18 MR. JARRETT: George, I'm looking at the pictures  
19 and I see the fire damage, the smoke damage, but I actually  
20 see where the ceiling's been pulled probably by the Fire  
21 Department and the trusses appear to be --

22 INSPECTOR OLIVA: Some of the -- no, the trusses  
23 are in good shape. The roof deck --

24 MR. JARRETT: And it's a CBS structure?

25 INSPECTOR OLIVA: This is a CBS structure.

1 MR. JARRETT: And we haven't heard anything from  
2 the owners?

3 INSPECTOR OLIVA: No. The last time that somebody  
4 called me regarding this property was the City Manager asking  
5 what's going on with that property that's been wide open for  
6 such a long time.

7 MR. JARRETT: Because it appears to me that this is  
8 like a property that could really be rehabbed.

9 INSPECTOR OLIVA: Well, that's why we're asking the  
10 Board to order the owner of the property --

11 MR. JARRETT: So you're just asking for a board-up?

12 INSPECTOR OLIVA: -- to be board up and to bring it  
13 back to a safe condition. And remove all the unsafe parts.

14 MR. JARRETT: Okay. Alright.

15 CHAIR WEYMOUTH: So it's not a demolition they're  
16 asking, it's a board-up.

17 INSPECTOR OLIVA: No, not a demolition. The three  
18 cases that we got today we're asking to have a repair by the  
19 owner.

20 CHAIR WEYMOUTH: Ms. Hale?

21 MS. HALE: Ginger? It says Broward County Tax  
22 Collector, and he signed off on this. Has this been a long  
23 period when he has filed his claims or is it just recently?

24 MS. WALD: It's recent.

25 MS. HALE: Okay.

1 MS. WALD: It's the 2012 taxes in the amount of  
2 \$1,715.77 were due and a tax certificate was issued. So it  
3 can still be redeemed. He's got time.

4 MS. HALE: Okay. Yes, alright.

5 CHAIR WEYMOUTH: Okay. I have a quick question.  
6 I'm trying to refresh my recollection. I don't recall having  
7 had a board-up request to this Board before and maybe I'm  
8 slipping my memory but Chief, isn't that something that would  
9 normally you guys would just authorize is to board it up and  
10 -- because I remember that we looked at some other properties  
11 in the past that had been boarded up but I don't recall a  
12 request. Is there something unusual with this specific case  
13 that you're in here asking for that?

14 INSPECTOR OLIVA: Right. These three cases that I  
15 have that's similar to the case that we did the last month  
16 when we're asking for the owner to remove the unsafe part of  
17 the structures, to bring it back to living condition or to  
18 have it boarded up and bring it back to a safe condition.

19 CHAIR WEYMOUTH: The definition of unsafe to me  
20 would be that the structure may in some way fall or -- to me,  
21 if somebody's trespassing on this property and crawls through  
22 a broken window and cuts their hand, it's at their own will  
23 that that's happened. But, is there a definition to unsafe?

24 MS. WALD: Yes. You can do it or I can do it.  
25 Ginger Wald, Assistant City Attorney. There's two parts;

1 there's two criteria under the code that you have to take  
2 into consideration. The first criteria is the physical  
3 criteria and it definitely explains what unsafe is.

4           And under 116.2.1 under the physical criteria:  
5 building shall be deemed a fire hazard or unsafe when it is  
6 vacant, unguarded and open at the doors or windows, when  
7 there is an unwarranted accumulation of dust, debris or other  
8 combustible material therein, the building condition creates  
9 hazards with respects to the means of egress and fire  
10 protection as provided for a particular occupancy. And  
11 obviously in this house it already went to that part.

12           CHAIR WEYMOUTH: Right.

13           MS. WALD: Also, a building shall be deemed unsafe  
14 when there is a failure -- and you've heard this many a times  
15 -- failure, hanging loose, loosening of siding block, brick  
16 other building material, deterioration of the structure or  
17 structural parts, building is partially destroyed, unusual  
18 sagging or leaning out of plumb of the building or parts of  
19 it that has deteriorated or overstressed, electrical or  
20 mechanical installation systems creating a hazardous  
21 condition, unsanitary condition exists by reason of  
22 inadequate or malfunctioning sanitary facilities, waste  
23 disposal systems.

24           Also has a swimming pool section: swimming pools  
25 that contain stagnant water are deemed unsanitary and



1 dangerous to human life and are presumed and deemed unsafe.  
2 And then by reason of use or occupancy of the area -- which I  
3 don't think anyone's living in this one, which is good --  
4 height, type of construction, fire resistivity, means of  
5 egress, electrical equipment, plumbing, air conditioner or  
6 other features of this code do not comply with this code and  
7 for the use of group occupancy. And then there's a whole  
8 mobile but we don't need to get into that.

9 CHAIR WEYMOUTH: You --

10 MS. WALD: The second part is the valuation  
11 criteria. And I believe the reason why George has brought  
12 this for the repairs to be done, making it secure and safe,  
13 which you're allowed to do and then also ordering the repairs  
14 is it probably does not meet the fifty percent or the thirty-  
15 three percent criteria.

16 Didn't hear any testimony as to the structural  
17 issues and I believe that Mr. Jarrett has already pointed out  
18 that it is of CBS construction and the joists were fine. So  
19 it would have to meet that fifty percent valuation and I'm  
20 sure Chris can answer any other questions in that regard.

21 CHAIR WEYMOUTH: Mr. Jarrett, did you want to ask  
22 counsel about the valuation that --

23 MR. JARRETT: No, actually I'm satisfied with what  
24 George has presented.

25 CHAIR WEYMOUTH: Alright.

1 MR. BARRANCO: Do you have a question for counsel?

2 CHAIR WEYMOUTH: Do I?

3 MR. BARRANCO: I do.

4 CHAIR WEYMOUTH: Okay, go ahead. Don, do you want  
5 to also address your separate issue?

6 MR. LARSON: Yes, I have questions of counsel.

7 MS. HALE: I have a question.

8 CHAIR WEYMOUTH: John's going to go first. Then  
9 we'll --

10 MR. BARRANCO: So, I've always been under the  
11 impression that we did one thing up here. And now you're  
12 telling me I can order they board up this house? So I'm a  
13 little bit confused by that.

14 MS. WALD: Yes. Section 116 -- most of the cases  
15 that are brought in front of you until recently have all been  
16 demolition cases and they've all been brought where they have  
17 -- they being the Building Department -- has done the  
18 determination of the physical criteria and is supposed to do  
19 the valuation criteria and make sure that has occurred and  
20 bring those cases forward for demolition.

21 It is available under 116 -- it's not something  
22 we've done in the past because we have a Code Enforcement  
23 Board -- and our position in the past has always been, in the  
24 City, let's bring these type of cases to the Code Enforcement  
25 Board and give these individuals the opportunity to come in,

1 bring it up to compliance with what is not complied, whether  
2 they did work without permits or they had a fire or something  
3 else.

4 But legally, these cases can be brought to this  
5 Board pursuant to the code. The part as to what has to occur  
6 for the order as to a compliance is complying the unsafe  
7 portions of the structure that have been pointed out and  
8 testified to by George and also you can make it secure.

9 Specifically, under 116.1.3, you can order that the  
10 buildings are made safe, sanitary and secure in a manner  
11 provided by the Building Official as provided in this  
12 Chapter, provided that where replacement, repair, alteration  
13 or demolition is required on the buildings or structures  
14 within the purview of the applicable minimum housing code.

15 So, that was a long way of answering your question,  
16 yes. That was always your function but you had the ability  
17 to do something else. Those cases were just not presented  
18 that way.

19 MR. BARRANCO: Okay, okay. So if I make a motion  
20 that sounded something like this using the verbiage --

21 MS. WALD: Um-hm [affirmative]

22 MR. BARRANCO: -- and I say that I move that we  
23 find the violations exist as alleged and that we order the  
24 property owner to board up the structure within thirty days  
25 and that we order the City to board up the structure should

1 the property owner fail to. And then, such board-up is to be  
2 accomplished by a licensed contractor pursuant to a City  
3 issued permit. That would be about right?

4 MS. WALD: That would be, I would say, that would  
5 be semi-proper. It would be proper as to what you just said.

6 MR. BARRANCO: Right.

7 MS. WALD: What it would not be addressing is the  
8 other portion -- I'm sure George will tell you -- would be  
9 the other portion that the City has presented regarding the  
10 unsafe nature of the structure that needed to be taken care  
11 of. And I think, and I'll let him describe that. But that  
12 would be a correct order. I think the City is seeking a  
13 little bit more, but of course that's up to you to decide  
14 what the corrective action should be.

15 CHAIR WEYMOUTH: If he were to read it the way it  
16 was printed would that then cover, would that suffice a  
17 board-up or what the City is asking for? Do we need to spell  
18 out that we're looking for a board-up?

19 MS. WALD: That would, that would cover the board-  
20 up which I believe is part of what the City is asking for but  
21 George is going to have to address if they're asking for  
22 more.

23 INSPECTOR OLIVA: What the City's asking is from,  
24 for the Board to order the owner of this property to commence  
25 and do repairs to bring this property back to a safe

1 condition.

2 MR. BARRANCO: Okay.

3 INSPECTOR OLIVA: Or have it boarded up in case  
4 that it's not physically possible to do it.

5 CHAIR WEYMOUTH: Okay.

6 MR. BARRANCO: And that would require a building  
7 permit? The repairs?

8 INSPECTOR OLIVA: To do the repairs, yes and to  
9 board it up also needs a permit.

10 MR. BARRANCO: Okay.

11 INSPECTOR OLIVA: Both, they need permits.

12 MR. BARRANCO: So repair and a board-up.

13 INSPECTOR OLIVA: Right.

14 CHAIR WEYMOUTH: Mr. Larson, you had a question for  
15 counsel?

16 MR. LARSON: Yes I do. And one of it is the fact  
17 that can we have put into our literature here that we  
18 received to go by, can we have a, the percentages whether  
19 this home meets the percentages to be torn down or it doesn't  
20 meet the percentages to be torn down or it's thirty percent  
21 destroyed or fifty percent destroyed or whatever. Would that  
22 be legal to put that in here so we have --

23 MS. WALD: Oh, I see what you mean, on this?

24 MR. LARSON: Yes, it would be on, it would be in  
25 here someplace.

1 MS. WALD: Sure. Yes, if you were requesting that  
2 that portion be added to a, to the, not the [inaudible]

3 MR. BARRANCO: Cheat sheet.

4 MS. HALE: The agenda.

5 MS. WALD: To the agenda, let's see where we could  
6 add that. We could add that. Normally, would testify to it  
7 because it's not something that would be under the specific  
8 violation. Usually we only list the violations themselves  
9 but that can be added to it. That's not that big of a deal,  
10 you would be able to add that, right?

11 MS. PRYOR: Yes.

12 MR. LARSON: If it's not appropriate I can  
13 understand that.

14 MS. WALD: No. It's --

15 MR. LARSON: But I just thought maybe it might make  
16 some of us to chip in which way we would want to go with this  
17 thing.

18 MS. WALD: It's fine, sure. If it assists you, I'm  
19 sure that staff wouldn't have a problem with adding that  
20 somewhere onto the agenda.

21 CHAIR WEYMOUTH: Great. Why don't we go ahead and  
22 do that. Ms. Hale?

23 MR. LARSON: Wait, I'm not --

24 CHAIR WEYMOUTH: I'm sorry.

25 MS. HALE: He's still going.

1 MR. LARSON: I had a part B of this. If this  
2 violation occurred back in April of 212 [sic], it's been over  
3 a year and nobody had stepped forward to board anything up,  
4 don't you think it's a little bit late? Shouldn't this been  
5 pushed earlier in the procedure?

6 MS. WALD: That's not a legal question.

7 INSPECTOR OLIVA: I'm sorry I was talking -- can  
8 you repeat that question? I was talking to the --

9 MS. WALD: It's a 2012 case, and nothing has  
10 occurred since 2012, don't you think it's kind of late now to  
11 ask for it to be boarded up.

12 INSPECTOR OLIVA: The City already did some type of  
13 an emergency board-up over there but what happened, they keep  
14 breaking into it and since we have a property owner stated on  
15 the records -- this house has never been to the bank or  
16 anywhere -- that's why the City is requesting from the Board  
17 to order the owner of the property to have it repaired and  
18 bring it back to a safe condition either by repairing,  
19 replacing the broken windows or by completely board up the  
20 property.

21 MR. LARSON: I understand that George. But why  
22 wasn't that, why wasn't this brought to us before now?

23 INSPECTOR OLIVA: First of all, it didn't meet the  
24 criteria for the unsafe structure before because of the  
25 valuation. And second it was taken by code by a code officer

1 to a Special Magistrate and never, nobody has done anything  
2 to the property and that property's wide open over there and  
3 it's a life safety issue. As you can put it that way.

4 MR. LARSON: If it was a life safety issue now, it  
5 was a life safety issue after it had the fire.

6 INSPECTOR OLIVA: Right.

7 MR. LARSON: Somebody should have pushed something  
8 someplace down the --

9 INSPECTOR OLIVA: I understand that part --

10 MS. HALE: [inaudible]

11 INSPECTOR OLIVA: -- but the thing is that this  
12 case went to the Special Magistrate instead of coming in  
13 front of the Unsafe Structure by the code officer.

14 MR. LARSON: Okay.

15 MR. CROGNAL: Mr. Chair?

16 CHAIR WEYMOUTH: Have you recently visited this  
17 property?

18 INSPECTOR OLIVA: I have been there; I was there  
19 this morning.

20 CHAIR WEYMOUTH: And, because these photographs  
21 show that it's from April 2012.

22 INSPECTOR OLIVA: Right, and those pictures were  
23 taken, like I said before, from the SRT.

24 CHAIR WEYMOUTH: But the condition is the same --

25 INSPECTOR OLIVA: But the condition of the interior



1 is the same. And the outside, the City did a lot clean-up  
2 and we got two of the open windows, with piece of white  
3 boards on the front, that we did ourself.

4 MR. CROGNALE: Mr. Chair?

5 CHAIR WEYMOUTH: Just a second Joe. Don, if you're  
6 done, Pat, you have a question?

7 MR. LARSON: Yes, I'm done, I'm sorry.

8 CHAIR WEYMOUTH: That's okay.

9 MS. HALE: Is all of this house to the code? I see  
10 things coming out. There's a circular window and there was a  
11 little addition on the back. Is that all to code? I mean,  
12 is this house, if you fixed it up the way you see it right  
13 now, is that footprint to code?

14 INSPECTOR OLIVA: The footprint was built as per  
15 the approval plans from the City.

16 MS. HALE: Okay.

17 INSPECTOR OLIVA: The only thing that they did  
18 illegally there was a little shed on the west side of the  
19 property.

20 MS. HALE: Yes.

21 INSPECTOR OLIVA: Which is about to fall apart any  
22 minute.

23 MS. HALE: Okay.

24 INSPECTOR OLIVA: So, but that, yes, it's  
25 everything is original on the house.

1 MS. HALE: Alright.

2 CHAIR WEYMOUTH: Hang on Joe. Thornie?

3 MR. JARRETT: One quick note to Ginger. What you  
4 all were just talking about, that was like to add another  
5 paragraph to this sheet, correct?

6 CHAIR WEYMOUTH: No. We didn't.

7 MR. JARRETT: We talked about that last meeting,  
8 remember we were going to add a board-up to that sheet?

9 MR. BARRANCO: Our cheat sheet.

10 MR. JARRETT: Our cheat sheet.

11 MS. WALD: You're right, you're right.

12 MR. JARRETT: And if we just added it there,  
13 wouldn't that --

14 MS. WALD: Yes, I could do that. But I need one of  
15 these because I don't have one of these.

16 MR. JARRETT: I'll loan you mine.

17 MS. WALD: You'll give me yours? How about we go  
18 make copies?

19 MR. JARRETT: Pat and I will share.

20 CHAIR WEYMOUTH: Is that it? Joe?

21 MR. CROGNAL: Yes, Ginger, stay there. Question  
22 for Ginger. It looks like we're swimming in new water right  
23 now, that the Board is to act on a board-up situation or a  
24 demolition so we now have the option. It now becomes a  
25 valuation issue, if it's a valued at certain point, then we

1 board it up and if it's valued less than that, then we tear  
2 it down. Is that correct?

3 MS. WALD: Semi correct.

4 MR. CROGNALE: Okay.

5 MS. WALD: If it meets the valuation criteria of  
6 either the thirty-three for structural or fifty percent for  
7 total, then they City will bring the case forward as a  
8 demolition and they will make that request. If it doesn't  
9 meet the criteria, the City will not be making that request  
10 and the City will be asking for the -- whatever case it is --  
11 for that unsafe portion to be taken care of, to either be  
12 replaced or repaired or removed. Because it could be a lot  
13 of different things.

14 In this case it's a little different. In this case  
15 you're talking about making it secure by not having it vacant  
16 and unguarded because that will make it secure. Because if  
17 you don't have anyone coming in here from what I'm hearing in  
18 George's testimony, it will be secure enough. It's not  
19 secure enough for someone to live in. It would have to be  
20 completely repaired because you have all the issues from the  
21 fire. And that's going to require permits also to repair  
22 that before anybody can go ahead and move into this house.

23 So in this case scenario that's why the City is  
24 asking for the twofold that the repairs be made, be done to  
25 make it safe, but additionally to make it safe because of the

1 physical criteria that's under the code that it's open, it's  
2 abandoned, and anyone can have access to it, that it be  
3 secured by a board-up certificate. That requires a permit.

4 MR. CROGNALE: Okay, second part of my question is:  
5 who makes that determination as to the value before it comes  
6 to this Board?

7 MS. WALD: They do.

8 INSPECTOR OLIVA: What we do, we make the valuation  
9 according to the costs to have it repaired. And it has to be  
10 over fifty percent of the value of the property. If it  
11 doesn't meet the criteria then we cannot bring as a unsafe  
12 structure to be demolished.

13 MR. CROGNALE: So the City makes that determination  
14 as to its value based on a cost replacement.

15 INSPECTOR OLIVA: Right.

16 MR. CROGNALE: Okay, so then when you present that  
17 case to the Board, you have a price definite as to what its  
18 value is --

19 INSPECTOR OLIVA: Right.

20 MR. CROGNALE: -- so that we have to make the  
21 determination whether to board up or tear down.

22 INSPECTOR OLIVA: Yes sir. That's the way we --

23 MR. CROGNALE: Okay. Armed with that, then we have  
24 a way to go.

25 INSPECTOR OLIVA: Right. That's why we have the

1 two different criterias [sic] on the Section 116.

2 MR. CROGNALE: Okay. Thank you.

3 CHAIR WEYMOUTH: Mr. Barranco.

4 MR. BARRANCO: Ginger, one more question.

5 Regarding the motion that everybody's thinking about here.  
6 So the usual motion is, you're going to demo it and if you  
7 don't, we're going to demo it. So now we're saying, you're  
8 going to board it up and you're going to fix it and you're  
9 going to make it safe and secure or -- we demo it? Or do we  
10 board it up and make it safe and secure?

11 MS. WALD: First of all, Chris was supposed to  
12 speak because he was going to tell you before you even asked  
13 the question. But it's kind of a twofold. What the City is  
14 asking is for the owner to repair this. But if he's not  
15 going to go ahead and repair these issues right now, board it  
16 up to at least make it safe and secure.

17 If you go in and you're pulling the permit and  
18 you're going to go ahead and do the work then great, that's  
19 what we want, that's what we're looking for with compliance.  
20 But at least make this secure by boarding this house up so  
21 it's resolving one of the physical criteria that makes it  
22 unsafe.

23 MR. BARRANCO: Or --

24 MS. WALD: Well, you can always go ahead and, if  
25 the owner wants to demolish it that's up to him, he can

1 always demolish on his own. It's just is from the order from  
2 this -- I know, we're getting feedback -- is it yours or mine  
3 -- from this Board --

4 MR. BARRANCO: Will the City board this up if they  
5 do not?

6 MS. WALD: He has to answer.

7 MR. AUGUSTIN: Yes. Yes.

8 MR. BARRANCO: Okay. So I know where I go with the  
9 motion then.

10 MR. AUGUSTIN: So they can either make the repairs  
11 or they can secure it. If they don't do that the City can  
12 secure it.

13 MR. BARRANCO: My motion would probably be, they  
14 have to secure it right off the bat, that has to be done.  
15 Because if they're not going to get a permit tomorrow.

16 MR. AUGUSTIN: They could get a permit tomorrow to  
17 replace the windows and doors.

18 MR. BARRANCO: They're not even here. They might  
19 not get this notice for two weeks and then they have to hire  
20 an architect, and go through the whole rigmarole.

21 MR. AUGUSTIN: But it is possible.

22 MR. BARRANCO: I know you're going to get it done  
23 in a day but I can't as an architect. So, with that said, I  
24 think we should put in an order to board it up in case  
25 there's delays. If they don't get it done in thirty days

1 we'll get it done in thirty days and they'll still have the  
2 mandate to get the thing repaired and pull a permit. That's  
3 probably the way we should approach it.

4           It's twofold but they better get the first part  
5 done because if not, it's going to remain unsecure and  
6 somebody's going to walk in there, we're going to get a storm  
7 and then we have a problem.

8           MR. AUGUSTIN: And I believe, as George pointed  
9 out, it was secured once before --

10           MR. BARRANCO: Right.

11           INSPECTOR OLIVA: Right, and they --

12           MS. HALE: And they broke in.

13           MR. AUGUSTIN: And they've torn the boards off.

14           MR. BARRANCO: Right.

15           MS. HALE: You can see some of the boards on a few  
16 of the windows that they didn't, on some of the slides you go  
17 through.

18           CHAIR WEYMOUTH: Alright, any other questions?

19           MR. JARRETT: Yes. I have one for Ginger.

20           MR. WEYMOUTH: Thornie?

21           MR. JARRETT: Ginger --

22           CHAIR WEYMOUTH: You're earning your keep today  
23 Counselor.

24           MS. WALD: I've been doing that all day.

25           MR. JARRETT: Yes, you're going to speak with this

1 more than anybody else.

2 MS. WALD: I'm trying to write your speech.

3 MR. JARRETT: I have a question which was generated  
4 by Joe and John's discussions with you just now. I vaguely  
5 remember that when we've handled, when this Board has handled  
6 these requests for boarding up or we ordered boarding up in  
7 years past there was something about that that was only legal  
8 for a year. Am I correct?

9 MS. WALD: No. That's, the board-up certificate --  
10 and this is a Chris question -- yes it is, because it's in  
11 your ordinance -- and that's what I remember too. What I  
12 remember was that the certificate itself which is your, what  
13 you're issued with the permit --

14 MR. JARRETT: Right.

15 MS. WALD: -- is valid for one year. But the  
16 question --

17 MR. JARRETT: But basically, you can only legally  
18 board up a house for one year, correct?

19 MS. WALD: But, I think you can get, I think you're  
20 able to get extensions though.

21 MR. JARRETT: Oh, okay.

22 MS. WALD: And that's the question I have to ask  
23 Chris. The way that the ordinance is written from back then  
24 -- and I don't know if it's changed because I haven't looked  
25 at it in a while -- was that it was a one-year certificate



1 but I believe it can be renewed.

2 MR. AUGUSTIN: I believe so. It's not part of the  
3 building code.

4 MS. WALD: No, I know. It's our regular code and I  
5 don't have that with me. But I believe it can be renewed.  
6 It's either for another year or six months or something.

7 MR. JARRETT: So, then the City, after one year, if  
8 that's the case, would have to bring this case back to the  
9 Board.

10 MS. WALD: If the City --

11 MR. JARRETT: Boarded up --

12 MS. WALD: Boarded it up --

13 MR. JARRETT: And the homeowner never did anything.  
14 At the end of twelve months the City would have to come back  
15 to us for a subsequent order to re-board up the house?

16 MS. WALD: No.

17 MR. BARRANCO: Or demo it.

18 MR. JARRETT: Or demo it.

19 MS. WALD: Not necessarily. Because if the, if it  
20 does allow the board-up to remain past a one year, like we're  
21 talking about with the extension --

22 MR. JARRETT: Oh, with the extension, okay,

23 MS. WALD: -- then they would not have to. And  
24 again, we are kind of talking --

25 MR. JARRETT: It would only be optional on the part

1 of the City to do that.

2 MS. WALD: Right. Right. But I'll tell you, if --  
3 not necessarily this structure but just talking generally --  
4 if we've got a structure that's like this that's been a year,  
5 the City would probably come back, because they're probably  
6 going to come back for something else because it's probably  
7 in worse shape.

8 MR. JARRETT: Well, you know, realistically, the  
9 boarding up doesn't last long typically if it's not painted  
10 boards, they deteriorate --

11 MS. WALD: Right, yes.

12 MR. JARRETT: -- within a year of rain and sun.  
13 And also it becomes an eyesore to the neighborhood. And  
14 that's another thing that I'm thinking about.

15 MS. HALE: Yes.

16 MR. JARRETT: Is the valuation of the neighboring  
17 homes. And I think that's what this Board is supposed to  
18 protect a little bit, correct?

19 MS. WALD: Yes.

20 MS. HALE: Do you have reports from the  
21 neighborhood?

22 INSPECTOR OLIVA: Specifically in that  
23 neighborhood, yes, we have a few owners that are very active  
24 calling the City especially regarding this property. There's  
25 been a few complaints already.

1 MS. HALE: Alright.

2 INSPECTOR OLIVA: That they feel that a child can  
3 go inside the property and beside that there's people that  
4 have been going inside that property doing drugs and things  
5 like that, so yes.

6 MS. HALE: Alright.

7 INSPECTOR OLIVA: That property needs to be boarded  
8 up or bring it back to a safe condition somehow.

9 MS. HALE: Alright.

10 CHAIR WEYMOUTH: Am I the only one who didn't stop  
11 and get a cup of coffee coming over? You guys are all perky.  
12 My God. Mr. Larson.

13 MR. LARSON: I got a [inaudible] instead.

14 CHAIR WEYMOUTH: I'm happy with Mr. Walker over  
15 here, he's our church mouse. Don?

16 MR. LARSON: In regards to what Joe brought up  
17 making the motion, could there be a like, it gave the, it  
18 gives a motion to board it up and could he tack onto that to  
19 give them a month or two to take out a permit to, or hire a  
20 architect to move forward, can we put a time element before  
21 we bring it back instead of leaving it set for a year? I  
22 don't think the neighborhood's, I don't think it would be  
23 fair for the neighborhood to put up with this stuff.

24 INSPECTOR OLIVA: I believe we do the board-up the  
25 property's going to become safe. The boards have to be

1 painted to match the outside of the property and we have to  
2 provide ventilation to it so, doing that, I would say would  
3 be an improvement of the condition of the property and at  
4 least it's going to be safe. The way we do the board-ups by  
5 the City contractor we really make it safe that nobody can  
6 break in.

7 MR. LARSON: I understand all that, but what I'm  
8 getting at is if he could put a time frame on that motion to  
9 take, have a permit taken out to move forward for repairs and  
10 if they're not going to do this within the first two months,  
11 then I think it should be brought back to this Board so we  
12 can either tear it down or force an issue.

13 INSPECTOR OLIVA: Well, I believe that could be in  
14 your final ruling. When you do the ruling. Give us a time  
15 period that you want this case to come back in front of you  
16 guys and that way we can report if we have any permits issued  
17 to do the repairs or the condition is the same or got worse.

18 CHAIR WEYMOUTH: Can I suggest that we cross that  
19 bridge when the time is right and move this along? We've got  
20 a couple other cases to hear. And unless there's new or  
21 relevant matter, does anybody else have any questions?

22 MR. BARRANCO: Mike, I'd like to make a motion.

23 CHAIR WEYMOUTH: Okay.

24 MR. BARRANCO: Let me see if I like this first.

25 CHAIR WEYMOUTH: Was that written by you, Counsel?

1 MS. WALD: Yes, very quickly.

2 CHAIR WEYMOUTH: Very well done.

3 MR. BARRANCO: I couldn't have written this better  
4 myself. I move that we find that the violations exist as  
5 alleged in that we order the property owner to repair or  
6 replace, secure structure within thirty days and that we  
7 order the City to repair or replace, secure the structure  
8 should be property owner fail to timely do so. Such repair,  
9 replacement or security is to be accomplished with the proper  
10 City permits by a licensed contractor,

11 MR. JARRETT: And I'll second.

12 CHAIR WEYMOUTH: We have a motion, a second, do we  
13 have any additional?

14 MS. HALE: Could I ask, can you remove that debris?  
15 It might help the neighbors if you remove the debris that's  
16 hanging around the house. There's a pile of something in the  
17 front by the front door -- it might --

18 CHAIR WEYMOUTH: Or, put it inside the structure  
19 not necessarily remove it, secure it.

20 MS. HALE: That would be fine. So that, I think  
21 maybe that would help the neighbors.

22 MR. BARRANCO: I'll accept the amendment to the  
23 motion.

24 CHAIR WEYMOUTH: Alright. Before we vote, I think  
25 Inspector Oliva's got a comment.

1 INSPECTOR OLIVA: I was going to mention that the  
2 City did a lot clean on that property. We cleaned the  
3 outside and we mowed the lawn.

4 CHAIR WEYMOUTH: Okay, we have a motion, we have a  
5 second, is there any additional discussion? Hearing none or  
6 seeing none, all in favor say aye.

7 BOARD MEMBERS: Aye.

8 CHAIR WEYMOUTH: Any opposed? Hearing none, motion  
9 carries. Thank you.

10 MR. CROGNAL: George, we only have two more of  
11 these, board-ups?

12

13 **2. Case: CE13040416**

INDEX

14 **KEATON, MICHELE & WALDEN, JOHN**

15 **811 SW 28 AV**

16 MS. PATTERSON: Next case is on page two. Case  
17 number CE13040416. Address is 811 Southwest 28 Avenue.  
18 Owner is Michele Keaton and John Walden. Inspector George  
19 Oliva. Notice was posted at the property 10/1/13, advertised  
20 in the Daily Business Review 10/4/13 and 10/11/13.

21 Certified mail to the owner was returned.

22 Certified mail to Wells Fargo Bank via the registered agent  
23 for Corporation Service Corps was signed by Von Smith on  
24 9/30/13. Certified mail to Ingrid G. Fadil, Esquire, Choice  
25 Legal Group, PA, signed by N. Anderson on 9/30/13. Certified

1 mail to Robertson, Anschutz and Schneider, P.L., signature is  
2 illegible 9/30/13. Certified mail to Leslie M. Berman and  
3 Joan C. Berman, signature is illegible 10/1/13. Certified  
4 mail to Leslie M. Berman & Joan C. Berman, no response.  
5 Certified mail Bruce Jay Smoler, Esquire, Smoler and  
6 Associates, PA, signed by I. Padilla 9/30/13. Certified mail  
7 tenant in possession was returned. Violations as noted in  
8 the agenda.

9 INSPECTOR OLIVA: George Oliva, Building Inspector  
10 for the City. I'm presenting case number CE13040416 on  
11 today's agenda page two. This case was opened on April 4,  
12 2013 by the code enforcement Officer Bass, and the following  
13 pictures were taken by her and I would like to submit them  
14 into the records.

15 [Inspector Oliva displayed photos of the property]

16 As you can see, the pictures are showing the  
17 interior of the dwelling, the condition that is being created  
18 by the weather and the water penetrating to the dwelling.  
19 And that's a picture showing the front of the property.  
20 That's the side that we condemned the property to be unsafe.  
21 That's a view as you come into where the laundry room used to  
22 be. That's the ceiling inside the living room. That's the  
23 kitchen area. You can see half of the property's destroyed  
24 by the water penetration. There's mildew growing on every  
25 wall.

1           That's another view of inside where the bathroom  
2 is. That's on the bedroom side of the property. I'm sorry  
3 about that picture. And that's another view, that wasn't  
4 taken by me. And that's a open that you can see there's a  
5 gap in the roof deck. That's a view from the outside showing  
6 that the property's wide open so anybody can walking right  
7 into the property. That's another view of the second  
8 bedroom. That's a closet.

9           I want to add to the Board that this property  
10 that we were looking, it has an addition at the rear of the  
11 property and the addition is the one that have become unsafe.  
12 The whole property itself doesn't meet the evaluation  
13 criteria. But once again the City's here asking for the  
14 Board to order the owner to bring this property into a safe  
15 condition, to have it boarded up, remove all those unsafe  
16 condition from the rear of the property which in this case,  
17 this is a single-family dwelling and the rear part of the  
18 property was convert into a rental apartment.

19           That part there was supposed to be a family room  
20 and today, or before the damage by the weather, it was being  
21 used as a rental apartment at the rear of the property. I  
22 have pictures from Broward County showing the front of the  
23 property. I have another one that shows the addition that  
24 became unsafe in the back of the property.

25           CHAIR WEYMOUTH: Inspector, the addition in the



1 back, was it done with a permit?

2 INSPECTOR OLIVA: It was done with a permit as a  
3 family room with a storage area. The store area, as you see,  
4 became the bathroom and the inside of the property has become  
5 totally damaged by the water penetration at the rear. The  
6 front is not damaged; there's no roof leak on the front but  
7 the back is completely damaged.

8 And I have a copy here of the permit where the  
9 addition was built and this is back to 1980.

10 MR. JARRETT: George, is the addition, that portion  
11 in that photo that you have right now the section we see as a  
12 white blur?

13 INSPECTOR OLIVA: Right. I'm going to submit a  
14 copy to the Board.

15 MR. JARRETT: Okay, and the dark roof is the home.

16 MS. HALE: Which one is the addition?

17 MR. JARRETT: The addition is the white roof.

18 MS. HALE: This one.

19 MR. JARRETT: Correct.

20 CHAIR WEYMOUTH: And again, the addition was done  
21 with a building permit and passed.

22 INSPECTOR OLIVA: Right. And it was as a family  
23 room with a storage area.

24 MR. JARRETT: Is it detached?

25 INSPECTOR OLIVA: It's detached because the way

1 they build the flood deck is not connected to the main roof  
2 of the property. It's below there. So it can really be  
3 removed but like I say it doesn't meet the complete  
4 evaluation criteria.

5 CHAIR WEYMOUTH: And what is the City asking of the  
6 Board?

7 INSPECTOR OLIVA: We're asking for the owner to  
8 come into compliance by repairing or removing all the unsafe  
9 structure at the rear of the property, returning this  
10 property to the approval condition by the City of Fort  
11 Lauderdale which was a family room attached to the existing  
12 property and to have it secured if not.

13 CHAIR WEYMOUTH: Okay, any questions for the  
14 Inspector?

15 MR. JARRETT: I have one more.

16 CHAIR WEYMOUTH: Thornie?

17 MR. JARRETT: George, those photos that showed  
18 daylight coming through the roof structure --

19 INSPECTOR OLIVA: Those are the damage to the roof  
20 deck where the water is penetrating inside the property. The  
21 roof deck completely is gone.

22 MR. JARRETT: And that's the addition area.

23 INSPECTOR OLIVA: That's the addition. Only the  
24 addition --

25 MR. JARRETT: That's not in the main home.

1 INSPECTOR OLIVA: -- the front, I went inside the  
2 front, it was no problem.

3 MR. JARRETT: Okay. Thank you.

4 CHAIR WEYMOUTH: Any other questions of the  
5 Inspector?

6 MR. CROGNALE: Yes, Mr. Oliva, one of the pictures  
7 -- I don't know if it was my error -- but it went real fast,  
8 it still showed that there was a meter on that, the electric  
9 meter.

10 INSPECTOR OLIVA: It's only one --

11 MR. CROGNALE: Or was it disconnected at the mast?

12 INSPECTOR OLIVA: It was disconnected. We asked  
13 the Florida Power and Light to cut the power from the pole  
14 because when we removed the meter what happened somebody come  
15 with too little piece of copper and they put it in and they  
16 get power back on. So we take the power off the meter.  
17 Every time that we deem a property unsafe we cut it from the  
18 pole.

19 And as you can see, part of the property, you're  
20 going to see there's only one single meter for the whole  
21 property one of my pictures there that I'm showing.

22 MR. CROGNALE: Yes, that's what I couldn't see. I  
23 could see the meter but I couldn't see the cutoff.

24 INSPECTOR OLIVA: Right. It went by fast, I know.  
25 But it's only one meter for the whole -- right there, you

1 see, it's only one meter and it's being used --

2 MR. CROGNAL: That's not showing the cutoff on the  
3 mast.

4 INSPECTOR OLIVA: Right.

5 CHAIR WEYMOUTH: Is this property occupied?

6 INSPECTOR OLIVA: I went there on Wednesday and it  
7 was nobody in the property.

8 CHAIR WEYMOUTH: Nobody, no furniture?

9 INSPECTOR OLIVA: No. I knock on the front door,  
10 nobody open, there was no car and the back is to get my sign  
11 attached to the door.

12 CHAIR WEYMOUTH: It's your assertion that the hole  
13 in the roof is the unsafe structure portion of this property?

14 INSPECTOR OLIVA: It doesn't make it quite to be  
15 order to be demolished but it's only about forty percent of  
16 the value of the property that to replace that part. And I  
17 believe the lady sitting right here, she has to do with the  
18 property. I think she's the owner.

19 CHAIR WEYMOUTH: Okay. Before we hear from her  
20 though, I just want to make sure that the thing that, what  
21 you want repaired is the hole in the roof.

22 INSPECTOR OLIVA: What we need to be repaired is  
23 the back, the addition on that property needs to be returned  
24 to a safe condition. It needs to be returned to the approval  
25 floor plan by the City of Fort Lauderdale which was a family

1 room, not a rental unit.

2 CHAIR WEYMOUTH: I agree with all that but I don't  
3 know if that is something for the Unsafe Structures Board to  
4 hear or if it's something for Code Enforcement to hear.

5 INSPECTOR OLIVA: Once again, any work that is done  
6 on the property --

7 CHAIR WEYMOUTH: As an unsafe structure I can't  
8 tell her to take the toilet out of her living room because  
9 it's unsafe.

10 INSPECTOR OLIVA: Well.

11 MS. WALD: No, he's right.

12 CHAIR WEYMOUTH: So, if you're telling me that  
13 there's something either from a health hazard or a structural  
14 component that puts somebody's life in peril --

15 INSPECTOR OLIVA: The roof is completely damaged  
16 and that can fly away in high wind, it can be uplift. That's  
17 one of the reasons why we're here.

18 MS. HALE: Could I ask you what the zoning is on  
19 this house?

20 INSPECTOR OLIVA: Yes, that's a single-family area.

21 MS. HALE: It is zoned for single-family.

22 INSPECTOR OLIVA: Yes.

23 MS. HALE: Thank you.

24 CHAIR WEYMOUTH: Okay. Any other questions for the  
25 Inspector before we hear from the respondent? Ma'am, would

1 you like to talk? I think you probably need to be sworn in  
2 before -- you already swore her in? And she said yes.

3 MS. KEATON: My name is Michele Keaton and I'm the  
4 owner of the property. The property wasn't used, the rear of  
5 the property wasn't used as a rental, it was originally used  
6 as storage. The toilet was there when I purchased the  
7 property and I purchased the property I believe in 2002 so  
8 that has to be done prior to me taking ownership. I'm not  
9 sure if that's a violation. If I need to remove the toilet I  
10 will.

11 But as you can see, the damage he, there was done  
12 since hurricane Wilma, that hasn't, that property hasn't been  
13 used for anything but storage since then. Originally, when I  
14 bought the property I lived there so I always, it was always  
15 used as a storage facility. And I am aware about the roof  
16 and I will have someone to come out and to take a look at the  
17 roof and I'll have everything in there gutted.

18 But the reason why the doors weren't secure was  
19 because of the person that lived in front that, originally  
20 lived in the front of the property was evicted I believe in  
21 March and they themselves took the frame off of the door.  
22 I've had the police to come out several times, they've  
23 actually arrested the person because not only did he  
24 vandalize, he stole things from in front of the building. So  
25 he's the one that took the frames off the door so that he

1 could, so that he could get in and he could get out.

2 I'm not, I wasn't, the last time I was there the  
3 windows weren't broken. But if the windows are broken as it  
4 states in the report, I will have them boarded up and I will  
5 have someone to come out and repair the roof and I'll take  
6 everything that's on the inside and remove it. But it was,  
7 for years it's been just used as a storage facility.

8 CHAIR WEYMOUTH: Any questions for the respondent?

9 MR. CROGNALE: Yes, I have one sir.

10 CHAIR WEYMOUTH: Joe?

11 MR. CROGNALE: What are your long-term plans ma'am?

12 MS. KEATON: I'm going to have a contractor to come  
13 out to see if it's worth saving. If not, we'll just demolish  
14 it, we'll just tear it down.

15 MR. CROGNALE: Okay, so what we're doing right now  
16 is just an interim --

17 MS. KEATON: Well, I'm going to, a roofer is coming  
18 out on Saturday to take a look at the roof and of course  
19 he'll if, he'll pull the permit or whatever. And the  
20 contractor is coming out in a couple of weeks and like I said  
21 if it's not, if they don't see that it's worth repairing then  
22 I will have it demolished.

23 Because it's not, there's, there's a three-bedroom  
24 home in the front, then there's the utility room which just  
25 holds the washer and a dryer and then that's just like

1 totally separate. So the flat roof is where the damage is,  
2 which just houses the utility room and the area that was  
3 being used as storage. And you can see the windows have bars  
4 on the outside so I don't, I'm not sure about the damage for  
5 the windows but I'll, you know, look into it. And if that  
6 back part needs to be demolished it, I will do that. Because  
7 it's not attached to the original home anyway, it's just a  
8 flat roof which is separate from the A-frame roof.

9 MR. CROGNALE: Then you're prepared to take the  
10 worst case scenario --

11 MS. KEATON: Right.

12 MR. CROGNALE: -- [inaudible] you would agree to a  
13 demolition?

14 MS. KEATON: Right.

15 MR. CROGNALE: Okay. No further questions.

16 MR. BARRANCO: Mike? I've got a question.

17 CHAIR WEYMOUTH: Mr. Barranco?

18 MR. BARRANCO: So you're going to meet with  
19 contractors and then you're going to make a determination.

20 MS. KEATON: Right.

21 MR. BARRANCO: My question to you is, if this Board  
22 made a motion to give you an extension to come back here with  
23 the decision either way at our next meeting --

24 MS. KEATON: That would be fine; I won't have a  
25 problem with it at all.



1 MR. BARRANCO: So, if we gave you a month extension

2 --

3 MS. KEATON: That would be all right.

4 MR. BARRANCO: That would be okay? Does that work  
5 better for you?

6 MS. KEATON: That works for me.

7 MR. BARRANCO: Okay.

8 CHAIR WEYMOUTH: Thornie?

9 MR. JARRETT: Actually, that's exactly what I was  
10 going to ask the lady is what she felt in terms of how much  
11 time she needed because it sounds like she's doing the right  
12 thing.

13 CHAIR WEYMOUTH: When was this case first signed  
14 or, when did you guys notice that there were violations that  
15 existed on this property? I see that it's got a '13 date,  
16 I'm just wondering if this is --

17 INSPECTOR OLIVA: This case was opened on April 4,  
18 2013, by the Code Officer Bass.

19 CHAIR WEYMOUTH: And have you been having ongoing  
20 dialogue with Ms. Keaton?

21 INSPECTOR OLIVA: No, this is the first time that I  
22 met the owner.

23 MS. KEATON: But I did meet with Beth. [Ms. Keaton  
24 is referring to Code Officer Bass]

25 CHAIR WEYMOUTH: I'm sorry?

1 MS. KEATON: I did meet with Beth. I went out to  
2 the --

3 CHAIR WEYMOUTH: Speak into the microphone ma'am so  
4 I can --

5 MS. KEATON: I did meet with Beth. I went out to  
6 the property with Beth and there was an ongoing issue with a  
7 tree that she required that I have removed and when I met  
8 with her, I guess because the property was secured at the  
9 time that she went out, she told me that I needed to deal  
10 with George but she said technically if it was my property  
11 the City couldn't do anything about it as long as the doors  
12 were secure. You know, technically she dropped whatever it  
13 was as long as I had the tree removed. And she said as long  
14 as the place was secure that I shouldn't have an issue with  
15 the City.

16 CHAIR WEYMOUTH: Okay. Any other questions? Ms.  
17 Hale, you have a question?

18 MS. HALE: No.

19 CHAIR WEYMOUTH: No other questions, somebody want  
20 to make a motion?

21 MS. HALE: Okay. I moved that we continue the case  
22 for, and it's November 21 but I don't have -- I move that we  
23 find the violations exist as alleged, and that we grant the  
24 respondent -- but I'm not sure how many days that is --

25 CHAIR WEYMOUTH: Thirty-five.

1 MS. HALE: Thirty-five?

2 CHAIR WEYMOUTH: Yes ma'am.

3 MS. HALE: Thirty-five days to bring the property  
4 into compliance by November 21.

5 CHAIR WEYMOUTH: We have a motion. Do we have a  
6 second?

7 MR. LARSON: Second.

8 CHAIR WEYMOUTH: We have a second. Any additional  
9 conversation or discussion? Hearing none, all in favor say  
10 aye.

11 BOARD MEMBERS: Aye.

12 CHAIR WEYMOUTH: Any opposed? Hearing none, motion  
13 carries. See you in thirty-five days.

14 MS. KEATON: I have a question if I may.

15 CHAIR WEYMOUTH: Yes ma'am.

16 MS. KEATON: She said that the property has to be  
17 brought into compliance within thirty-five days, so what  
18 actually is it that you guys need me to do within the thirty  
19 days?

20 CHAIR WEYMOUTH: My suggestion, since you haven't  
21 talked to Mr. Oliva, is possibly meet him at the property and  
22 understand exactly what the City's are concerns are and  
23 address it from there.

24 MS. KEATON: Okay, alright.

25 CHAIR WEYMOUTH: Because having not visited the

1 property, we can't tell you what's deficient and what's not  
2 and he's probably got a pretty clear idea of what is not  
3 conforming.

4 MR. CROGNALE: But she's agreed to retain a  
5 contractor so that --

6 CHAIR WEYMOUTH: But the contractor's going to want  
7 to know. I get where you're coming from so I would suggest  
8 that maybe you and your contractor meet with the City  
9 official.

10 MR. JARRETT: I think, to answer your question,  
11 you're under the impression that you have to have everything  
12 fixed in thirty-five days.

13 MS. KEATON: Right.

14 CHAIR WEYMOUTH: No, no, no, no, no, no, no, no.

15 MS. HALE: No, no, no.

16 MR. JARRETT: To become in compliance you need to  
17 have permits applied for.

18 MS. KEATON: Okay.

19 MR. JARRETT: We don't expect you to have the work  
20 done in thirty-five days. But you have to be moving along in  
21 thirty-five days. And let me say that if you don't have  
22 permits applied for that, you're obviously going to go obtain  
23 a contractor and/or an architect, an engineer and one of  
24 those people, if you don't have any of the paperwork with the  
25 City filed within those thirty-five days, we would expect you

1 to appear next time with the contractor so that he can verify  
2 that this work is in progress.

3 MS. KEATON: Okay, I will do that. Thank you.  
4 Alright.

5 CHAIR WEYMOUTH: Thank you. Alright, next case.

7 **3. Case: CE13081082**

INDEX

8 **PARISIAN MOTEL INC**

9 **519 NW 23 AV**

10 MS. PATTERSON: Next case is on page three. Case  
11 number CE13081082, address 519 Northwest 23 Avenue, owner is  
12 the Parisian Motel Inc. Inspector George Oliva. Notices  
13 posted at the property on 10/1/13, advertised in the Daily  
14 Business Review on 10/4/13 and 10/11/13.

15 Certified mail to the owner was, signature was  
16 illegible, 9/30/13. Certified mail to Tania Ouaknine,  
17 registered agent and president of the Parisian Motel, no  
18 response. Certified mail to Carol Rudick, Many Jane  
19 Marshall, Louise Cicchini, signature illegible 9/30/13.  
20 Certified mail to Angela and Erick Birch, signatures  
21 illegible 9/30/13. Certified mail to tenant in possession  
22 was returned. Violations as noted in the agenda.

23 CHAIR WEYMOUTH: Inspector.

24 INSPECTOR OLIVA: George Oliva, Building Inspector  
25 for the City. I'm presenting case number CE13081082 on

1 today's agenda on page three. This case was opened back on  
2 August 14, 2013 by the Fire Department and the following  
3 pictures were taken by them and I would like to submit them  
4 into the records.

5 [Inspector Oliva displayed photos of the property]

6 The pictures are showing the damage that was done  
7 to the electrical room and the boiler room at the motel and  
8 also you can see in that picture that the door is wide open,  
9 anybody can come, open the door and go inside. That's part  
10 of the damage that was done at the rear of the motel. That's  
11 a breezeway and as you go to the right that's right where the  
12 damage and the fire was. That's the boiler room and the  
13 electrical room at the same time.

14 All the roof rafter were damaged, part of the wall  
15 was damaged. Those are the electrical conduit going to the  
16 main building which they got damaged and broke off. That's a  
17 front view of the property. The main part of the motel is  
18 not damaged but as you can see, the door is wide open and it  
19 needs to be secured.

20 So once again we are asking the Board to find for  
21 the City that this property's open and in disrepair and he  
22 has become unsafe and to order the owner of the building to  
23 repair the structure, to remove all the unsafe violations in  
24 the next thirty days.

25 CHAIR WEYMOUTH: Okay. Any questions for the

1 Inspector?

2 MS. HALE: I take it that the hurricane shutters  
3 you're considering is adequate board-up to keep people out.

4 INSPECTOR OLIVA: Not really.

5 MS. HALE: Oh.

6 INSPECTOR OLIVA: Because what happened, I've been  
7 there with the Police Department a couple times. They've  
8 been pushing the wall AC in and they're going through the  
9 wall unit.

10 MS. HALE: Oh, okay.

11 INSPECTOR OLIVA: And there's people living and,  
12 inside the property.

13 MS. HALE: Yes.

14 CHAIR WEYMOUTH: This is being identified as a  
15 motel, I'm assuming that it's not an operating motel and I am  
16 also assuming that the damage is localized; it's not the  
17 entire building that's been exposed to fire?

18 INSPECTOR OLIVA: It's not the main structure.  
19 It's on the rear where the meter room and boiler room is, and  
20 that's where the fire happened.

21 CHAIR WEYMOUTH: Is this --

22 INSPECTOR OLIVA: But the front part is not  
23 damaged.

24 CHAIR WEYMOUTH: And are they open and operating?

25 INSPECTOR OLIVA: No. There's nobody there, the

1 owner moved away, she went to Israel. The last time that I  
2 have a conversation with her she said that she was walking  
3 away, that the insurance doesn't want to pay and she left the  
4 property in that condition. And right now it's completely  
5 wide open and like I said, people are going in and we need to  
6 secure this property.

7 CHAIR WEYMOUTH: So again, you're just looking for,  
8 again, a safing of the structure. You're not looking for a  
9 demolition.

10 INSPECTOR OLIVA: No. The City's asking for the  
11 Board to order the owner to come into compliance by removing  
12 all the unsafe structures or parts and to secure the  
13 property.

14 CHAIR WEYMOUTH: Okay. Any other questions? John?

15 MR. BARRANCO: Did you do a valuation?

16 INSPECTOR OLIVA: Yes.

17 MR. BARRANCO: On the damage as it compares to the  
18 structure? And where were you?

19 INSPECTOR OLIVA: We only were on thirty percent in  
20 this particular case.

21 CHAIR WEYMOUTH: Any other questions? Thornie?

22 MR. JARRETT: I'm a little confused here George.  
23 The entire hotel and the, the fire was in the boiler room.

24 INSPECTOR OLIVA: Yes sir.

25 MR. JARRETT: And the hotel is also open? No.



1 INSPECTOR OLIVA: It's not being occupied. It's  
2 open to anyone to go inside.

3 MR. JARRETT: Yes, I'm sorry, I used the wrong  
4 word.

5 INSPECTOR OLIVA: Right, but, no --

6 MR. JARRETT: It's not open for business.

7 INSPECTOR OLIVA: It's not open for business right  
8 now.

9 MR. JARRETT: But the windows are wide open and the  
10 doors are open. And people are going in.

11 INSPECTOR OLIVA: Right. And the big issue we got  
12 is people pushing the AC to take away the copper.

13 MR. JARRETT: Right.

14 INSPECTOR OLIVA: And the opening remains open and  
15 people are going in.

16 MR. JARRETT: So the City is asking us for an order  
17 to board up the entire facility.

18 INSPECTOR OLIVA: And to order the owner to remove  
19 all the unsafe part of the building and bring it into a safe  
20 condition by either fixing it or board it up.

21 MR. JARRETT: What about, there's one photo here  
22 that shows part of the eave hanging down and so on.

23 INSPECTOR OLIVA: Right.

24 MR. JARRETT: What about that? Are we addressing  
25 that at all?

1 INSPECTOR OLIVA: That's part of the -- see right  
2 there -- that's part of the unsafe condition that they need  
3 to be repaired. That's why we want the owner to do the  
4 repair.

5 MR. JARRETT: And so the City would actually go out  
6 there, board it up, nail these boards back in place if  
7 necessary. That would all be --

8 INSPECTOR OLIVA: We will do whatever is necessary  
9 to bring it to a safe condition.

10 MR. JARRETT: Okay.

11 INSPECTOR OLIVA: And I want to say also that this  
12 property is not going to the bank. And the owner, she  
13 remains the owner of the property, I haven't find any paper  
14 in the court saying that they're going -- do you find one?

15 MS. WALD: There is no bank involved [inaudible]

16 INSPECTOR OLIVA: Right.

17 CHAIR WEYMOUTH: Okay. Any other questions?

18 MS. HALE: No.

19 CHAIR WEYMOUTH: Anybody want to make a motion? I  
20 have special literature for that.

21 MS. HALE: Well, I didn't get this sheet. No I  
22 don't want to.

23 MR. JARRETT: I move that we find the violations  
24 exist as alleged and that we order the property owner to  
25 repair and secure the structure within 30 days and that we

1 order the City to repair and secure the structure should the  
2 property owner fail to timely do so. Such repair and  
3 securing is to be accomplished with the proper City permits  
4 by a licensed contractor.

5 MR. LARSON: Second.

6 CHAIR WEYMOUTH: Alright. We have the motion and a  
7 second. Any further discussion? Hearing none, all in favor  
8 say aye.

9 BOARD MEMBERS: Aye.

10 CHAIR WEYMOUTH: All opposed? Hearing none, motion  
11 carries.

12 INDEX

13 **COMMUNICATION TO THE CITY COMMISSION**

14 None.

15 INDEX

16 **Other Items and Announcements**

17 None.

18 INDEX


19 **FOR THE GOOD OF THE CITY**

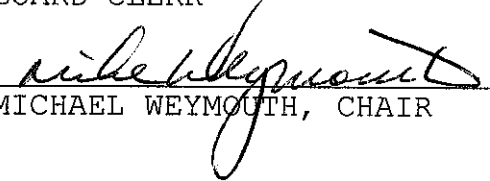
20 CHAIR WEYMOUTH: Last piece of business that I've  
21 got -- well actually and we can ask if there's anything for  
22 the Good of the City -- last meeting I had asked the City to  
23 tell us kind of where we're at with the previous orders as  
24 far as whether anything is getting demolished or not and the  
25 City has produced a kind of a short list of what properties

1 the City has demolished in the last, I'll say two years, for  
2 the fiscal year 2012 and fiscal year 2013.

3 It looks like there's probably eight or nine  
4 structures. And then I've also gotten an outcome of the  
5 final orders that we've done from, since October 12 through  
6 last month. So these exist if anybody wants to see them.  
7 It's answered my curiosity. But the City's got them for  
8 anybody that wants to look at them. So if you do just let  
9 us know. Anything for the Good of the City? Anything we  
10 want to tell our Commissioners? Alright.

11  
12 [Meeting concluded at 3:59 pm.]  
13

14  
15   
BOARD CLERK

16   
17 MICHAEL WEYMOUTH, CHAIR  
18

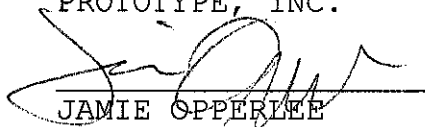
19 [Minutes prepared by: J. Opperee, Prototype, Inc.]  
20  
21  
22  
23  
24  
25

## CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held October 17, 2013, at 3:00 p.m., City Hall, 100 North Andrews Avenue, 1<sup>st</sup> Floor Commission Chambers, Fort Lauderdale, Florida.

Dated at Ft. Lauderdale, Broward County, Florida, this 21 day of November, 2013.

PROTOTYPE, INC.


  
JAMIE OPPERLEE  
Recording Clerk

SWORN TO and SUBSCRIBED before me by JAMIE OPPERLEE who is personally known to me and who signed the foregoing for the purposes therein expressed.

DATED this 21 day of NOVEMBER, 2013.



D.J. GROSSFELD  
MY COMMISSION # EE 065068  
EXPIRES: April 26, 2015  
Bonded Thru Budget Notary Services

  
NOTARY PUBLIC  
State of Florida